

## TELEFAX COVER SHEET

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THIS MESSAGE HAS 15 PAGES INCLUDING THIS SHEET

TO: Assistant Commissioner of Patents  
FAX NO.: 703-872-9314  
FROM: Joseph Pagnotta, Patent Agent  
DATE: December 12, 2002  
MATTER: Serial No. 09/332,264 Filed: 6/11/99  
DOCKET NO.: WOOD27/56115  
APPLICANT: Wood

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition  
☐ Disclosure Statement & PTO-1449  
☐ Priority Document  
☐ Drawings (     sheets) informal  
☒ Response and Appendix

☒ Transmittal Letter  
☒ Fee Transmittal (2 copies)  
☒ Deposit Account Transaction  
☒ Facsimile Transmission Certificate  
dated December 12, 2002

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant  
Commissioner for Patents, Washington, DC 20231 on December 12, 2002, Facsimile No. 703-872-9314.

Janet Kondark  
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Janet Kondark 12/12/02  
Signature and date

Please type a plus sign (+) inside this box → ☒

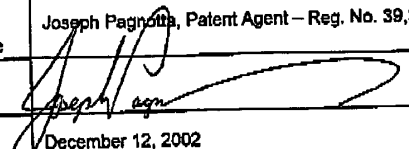
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/332,264
	Filing Date	6/11/99
	First Named Inventor	Wood
	Group Art Unit	2663
	Examiner Name	S.K. Li
Total Number of Pages in This Submission	Attorney Docket Number	WOOD27/56115

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form (2)  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response with Appendix  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks		Please extend the time for filing this Response by one month.
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Joseph Pagnotta, Patent Agent - Reg. No. 39,322	
Signature		
Date	December 12, 2002	

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/332,284  
Filing Date 6/11/99  
First Named Inventor Wood  
Examiner Name S.K. Li  
Group / Art Unit 2663  
Attorney Docket No. WOOD27/56115

TOTAL AMOUNT OF PAYMENT (\$) 110

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
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20-0782

Deposit  
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Name

Moser, Patterson & Sheridan, LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
-20 **	= 0	X	= 0	
Independent Claims	-3 **	= 0	X	= 0
Multiple Dependent		X	= 0	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	60	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
125	180	125	180	Submission of information Disclosure Sheet	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$110

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Joseph Pagnotta

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39,322

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Signature

Date

December 12, 2002

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

## PATENT APPLICATION

Official

12-12-02  
7L

Applicant: Thomas Huntington Wood

Case: WOOD27/56115

Serial No.: 09/332,264

Filed: June 11, 1999

Examiner: LI, Shi K.

Group Art Unit: 2633

Confirmation No.: 2709

Title: SYSTEM FOR OPERATING AN ETHERNET DATA NETWORK  
OVER A PASSIVE OPTICAL NETWORK ACCESS SYSTEMCOMMISSIONER FOR PATENTS  
Washington, D.C. 20231

SIR:

RESPONSE UNDER 37 C.F.R. §1.111

In response to the Office Action dated August 12, 2002 (Paper No. 5),  
please amend the above-identified patent application as follows:

IN THE CLAIMS

Please amend claims 1 and 7 as follows:

1. A data communications system comprising:
- an outside plant, the outside plant including a distribution fiber, a splitter and a plurality of drop fibers;
  - a head-end, the head-end further comprising an Ethernet adapter circuit and being coupled to the splitter via the distribution fiber;
  - a first network unit, the first network unit being coupled to the splitter via a first of the plurality of drop fibers, wherein the first network unit receives a

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